

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

SUITS – Land Acquisition – SRSP – Karimnagar District – O.P.No.510/92 – Elgandal (Village) – Karimnagar (Mandal) - Sanction of decretal charges of **Rs.92,25,847/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 801

DATE:19.10.2009

Read:

- 1) From the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad
Lr.No.E1/1077/2009, dt:19.08.2009.
- 2) From the Secy.to CCLA, AP, Hyd.Lr.No.SRP2/792/09, DT:01.10.09.

O R D E R:

The Secretary to Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.510/92 pertaining to Elgandal (V) Karimnagar Mandal and District. The brief facts of the case is that the then Land Acquisition Officer, LA Unit, Karimnagar has acquired the land to an extent of 27664.93 sq.mtrs for submergence under Lower Manair Dam Reservoir in the limits of Elgandal (V) of Karimnagar (M) and District by fixing the market value @Rs.2/- per sq.mtre vide Award No.7/83-84, dt:30.11.1983. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Court of II-Additional District Judge, Karimnagar in its judgment and decree dt:31.07.1996 and enhanced the compensation to double the amount awarded by the Land Acquisition Officer. As the enhancement was more than 50%, the SDC has preferred an appeal which was numbered as AS No.1741/2002. The Hon'ble High Court in its orders dt:09.09.2002 in CMP No.17419/2002 in A.S.No.1741/2002 has granted conditional interim stay that to deposit the Half of the decretal amount. Accordingly, an amount of Rs.74,98,148/- was sanctioned and the same has been deposited in the Lower Court on 18.06.2003. Finally, the Hon'ble High Court in its order dt:17.09.2007 in A.S.No.1741/2002 confirmed the decree of the Lower Court while dismissing the appeal preferred by the State.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.92,25,847/- (Rupees Ninety two lakhs twenty five thousand eight hundred and forty seven only)** in respect of O.P.No.510/92 pertaining to Elgandal (V) Karimnagar Mandal and District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Govt/ Special Chief Secretary to Govt & Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SRSP, SSP & JCRGLIP, Hyderabad may be directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of the O.P.No.510/92 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation – 116. SRSP Stage-I, Scheme included in Plan, G.H (11) Normal State Plan – S.H (26) Dams and Appurtenant works – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3702/F4(2)/2009-1, dated 23.09.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, LMD Colony, Karimnagar.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad.

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.22121/LA.III(A1)/2009.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER